

I rise in support of this bill.

The Department of Homeland Security Appropriations Act for 2010 continues to fund a series of important public safety and disaster preparedness initiatives. To help us better protect our borders, the bill provides \$3.587 billion, \$86 million above 2009, to fully support 20,163 Border Patrol agents--which has expanded by 6,000 since 2006. The bill also provides \$373.7 million, \$73.7 million above 2009, for the US-VISIT program. US-VISIT uses biometrics to track the entry of visitors to the United States. The bill directs that a total of \$50 million be used to implement a biometric air exit capability so that we can determine if individuals have overstayed their visas.

Ensuring that 100 percent of air cargo is screened for explosives is essential to our efforts to thwart future terrorist attacks. To that end, the bill provides \$122.8 million, including \$3.5 million above the budget request for 50 additional inspectors to ensure compliance with the 100 percent screening mandate set for August 2010 in the 9/11 Act. Regarding rail security, the bill builds on my previous work by providing \$300 million to protect critical transit infrastructure, including freight rail, Amtrak and ferry systems in high-threat areas. I remain very concerned that Amtrak in particular has been extremely slow to make the kind of security upgrades that are necessary to make the system less vulnerable to the kinds of attacks that killed so many in Madrid, London, and Mubai over the last 5 years, and I will continue to press Amtrak officials to quickly implement security improvements for the system.

I am also pleased that some key needs in my district are being met in this bill. The Township of Old Bridge will receive \$500,000 to upgrade its emergency communications system, and the City of Trenton will receive \$300,000 to help protect its water filtration plant from periodic Delaware River floods. Even as we take measures to protect our country and communities from potential terrorist attacks, it's important to remember that the most common calamities that strike our towns come from nature and other sources. We must ensure that our communities are prepared to meet the full range of threats they may face.

I am disappointed that this bill allows the Secretary of Defense to withhold indefinitely from public release photographs of potential detainee abuse by U.S. government personnel. The assumption underlying this provision is that the release of the photographs would lead to increased violence against U.S. government personnel (civilian and military) overseas in the Middle East and southwest Asia. I would respectfully submit that our repeated mistargeting of civilians in Afghanistan and Pakistan, along with our continuing and expanding military presence

in Afghanistan, provide our enemies with far better recruiting tools than the photographs in question might ever provide.

I regret that the conferees did not direct the Attorney General to review the photos to determine if any do in fact show evidence of violations of either domestic or international law with respect to the treatment of detainees. Using one law to shield from disclosure information that might be prosecutable under another law undermines the very foundation of our legal system and sends a clear signal to the world that we will cast aside our obligations under international law if it is politically expedient for us to do so. The best way we can protect our soldiers and civilians working overseas is to show that we will not tolerate the abuse of other human beings in our custody and that we will not hide our complicity in such acts behind politically expedient legal contortionisms.

Despite this serious flaw in the bill, I will support it and urge my colleagues to do likewise.